



UNITED STATES PATENT AND TRADEMARK OFFICE

DEC -8 2004

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

Paper No. 11

In re Application of :  
Shohan Yanagi :  
Application No. 10/088,781 : DECISION ON PETITION  
Filed: July 25, 2002 :  
Attorney Docket No. NAI11 18875 :

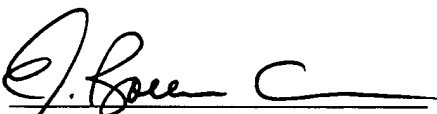
This is a decision on the petition filed on November 15, 2004 by which petitioner requests withdrawal of the holding that this application stands abandoned for failure to file a timely and proper reply to the Office letter dated January 5, 2004. The petition is considered pursuant to 37 CFR 1.181, and no fee is required. A refund of the \$55.00 fee tendered with the petition will be credited to Deposit Account No. 03-1740.

The petition is granted.

Petitioner alleges that this application is not abandoned because petitioner did not receive the Office letter in question. Petitioner has supported this allegation in a manner that satisfies the requirements for a petition to withdraw a holding of abandon based upon nonreceipt of Office correspondence as set forth in MPEP § 711.03(c). Based upon the showing submitted by petitioner, it is clear this application is not technically abandoned.

Accordingly, the Notice of Abandonment is hereby vacated, the holding of abandonment is withdrawn, and the application is restored to pending status. The application is being forwarded to the Head Supervisory Applications Examiner for Technology Center 3700 to re-mail the Office letter dated January 5, 2004, together with a complete copy of the Notice of Allowability and all attachments thereto. The period for reply to the re-mailed Office letter will run from the date of re-mailing, and is subject to extensions of time pursuant to 37 CFR 1.136(a). In no event may the time for replying thereto extend more than six months from the date of re-mailing.

PETITION GRANTED

  
E. Rollins-Cross, Director  
Technology Center 3700

Christensen, O'Conner, Johnson, Kindness, PLLC  
1420 Fifth Avenue  
Suite 2800  
Seattle, WA 98101-2347